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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON AT SEATTLE
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8 UNITED STATES OF AMERICA,
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10 Plaintiff,
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12 v.
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14 RAFAEL CHAVEZ,
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16 Defendant.
17

18 NO. CR10-255-TSZ
19

20 **DETENTION ORDER**
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22 Offenses charged:

23 Count 1: Conspiracy to Distribute Heroin, in violation of 21 U.S.C. §§
24 841(a)(1), 841(b)(1)(A) and 846

25 Count 2-5, 7-10: Distribution of Heroin, in violation of 21 U.S.C., §§ 841(a)(1) and
26 841 (b)(1)(C)

Count 6: Distribution of Cocaine, in violation of 21 U.S.C. 841(a)(1) and
841(b)(1)(C)

27 Date of Detention Hearing: November 9, 2010

28 The Court, having conducted a detention hearing pursuant to 18 U.S.C. § 3142(f), and
29 based upon the factual findings and statement of reasons for detention hereafter set forth, finds:

30 **FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION**

31 1. Pursuant to 18 U.S.C. § 3142(e), there is a rebuttable presumption that
32 defendant is a flight risk and a danger to the community based on the nature of
33 the pending charges. Application of the presumption is appropriate in this case.

35 **DETENTION ORDER**

36 18 U.S.C. § 3142(i)

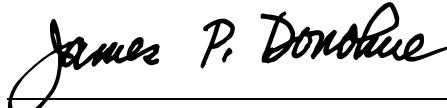
37 Page 1

- 1 2. Defendant is a citizen of Mexico.
- 2 3. An immigration detainer has been placed on defendant by the United States
- 3 Immigration and Customs Enforcement.
- 4 4. Defendant has stipulated to detention, but reserves the right to contest his
- 5 continued detention if there is a change in circumstances.
- 6 5. There are no conditions or combination of conditions other than detention that
- 7 will reasonably assure the appearance of defendant as required or ensure the
- 8 safety of the community.

9 IT IS THEREFORE ORDERED:

- 10 (1) Defendant shall be detained and shall be committed to the custody of the
- 11 Attorney General for confinement in a correction facility separate, to the extent
- 12 practicable, from persons awaiting or serving sentences or being held in custody
- 13 pending appeal;
- 14 (2) Defendant shall be afforded reasonable opportunity for private consultation with
- 15 counsel;
- 16 (3) On order of a court of the United States or on request of an attorney for the
- 17 government, the person in charge of the corrections facility in which defendant
- 18 is confined shall deliver the defendant to a United States Marshal for the
- 19 purpose of an appearance in connection with a court proceeding; and
- 20 (4) The Clerk shall direct copies of this Order to counsel for the United States, to
- 21 counsel for the defendant, to the United States Marshal, and to the United States
- 22 Pretrial Services Officer.

23 DATED this 9th day of November, 2010.

24 
25 JAMES P. DONOHUE
26 United States Magistrate Judge